
SENATE BILL 5110

State of Washington

54th Legislature

1995 Regular Session

By Senator Quigley

Read first time 01/11/95. Referred to Committee on Government Operations.

1 AN ACT Relating to abolishing the office of lieutenant governor;
2 amending RCW 28B.07.030, 29.30.020, 29.80.030, 29.81.090, 41.60.015,
3 43.01.010, 43.03.010, 43.03.011, 43.03.020, 43.06.040, 43.33.010,
4 43.34.010, 43.43.858, 44.52.010, and 70.37.030; adding a new section to
5 chapter 43.06 RCW; and providing for submission of this act to a vote
6 of the people.

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

8 NEW SECTION. **Sec. 1.** A new section is added to chapter 43.06 RCW
9 to read as follows:

10 Effective January 15, 1997, the office of lieutenant governor is
11 abolished, pursuant to Article III, section 25 of the state
12 Constitution. All legislative duties of the lieutenant governor shall
13 be performed by a president of the senate to be selected by the senate
14 from among their number. The office of lieutenant governor shall not
15 appear on the 1996 primary or general election ballots.

16 **Sec. 2.** RCW 28B.07.030 and 1985 c 370 s 48 are each amended to
17 read as follows:

1 (1) The Washington higher education facilities authority is hereby
2 established as a public body corporate and politic, with perpetual
3 corporate succession, constituting an agency of the state of Washington
4 exercising essential governmental functions. The authority is a
5 "public body" within the meaning of RCW 39.53.010.

6 (2) The authority shall consist of seven members as follows: The
7 governor, lieutenant governor or attorney general if the office of
8 lieutenant governor has been abolished, executive director of the
9 higher education coordinating board, and four public members, one of
10 whom shall be the president of a higher education institution at the
11 time of appointment. The public members shall be residents of the
12 state and appointed by the governor, subject to confirmation by the
13 senate, on the basis of their interest or expertise in the provision of
14 higher education and the financing of higher education. The public
15 members of the authority shall serve for terms of four years. The
16 initial terms of the public members shall be staggered in a manner
17 determined by the governor. In the event of a vacancy on the authority
18 due to death, resignation, or removal of one of the public members, and
19 upon the expiration of the term of any public member, the governor
20 shall appoint a successor for a term expiring on the fourth anniversary
21 of the successor's date of the appointment. If any of the state
22 offices are abolished, the resulting vacancy on the authority shall be
23 filled by the state officer who shall succeed substantially to the
24 power and duties of the abolished office. Any public member of the
25 authority may be removed by the governor for misfeasance, malfeasance,
26 wilful neglect of duty, or any other cause after notice and a public
27 hearing, unless such notice and hearing shall be expressly waived in
28 writing.

29 (3) The governor shall serve as chairperson of the authority. The
30 authority shall elect annually one of its members as secretary. If the
31 governor shall be absent from a meeting of the authority, the secretary
32 shall preside. However, the governor may designate an employee of the
33 governor's office to act on the governor's behalf in all other respects
34 during the absence of the governor at any meeting of the authority. If
35 the designation is in writing and is presented to the person presiding
36 at the meetings of the authority who is included in the designation,
37 the vote of the designee has the same effect as if cast by the governor.

38 (4) Any person designated by resolution of the authority shall keep
39 a record of the proceedings of the authority and shall be the custodian

1 of all books, documents, and papers filed with the authority, the
2 minute book or a journal of the authority, and the authority's official
3 seal, if any. The person may cause copies to be made of all minutes
4 and other records and documents of the authority, and may give
5 certificates to the effect that such copies are true copies. All
6 persons dealing with the authority may rely upon the certificates.

7 (5) Four members of the authority constitute a quorum. The
8 authority may act on the basis of a motion except when authorizing the
9 issuance and sale of bonds, in which case the authority shall act by
10 resolution. Bond resolutions and other resolutions shall be adopted
11 upon the affirmative vote of four members of the authority, and shall
12 be signed by those members voting yes. Motions shall be adopted upon
13 the affirmative vote of a majority of a quorum of members present at
14 any meeting of the authority. All actions taken by the authority shall
15 take effect immediately without need for publication or other public
16 notice. A vacancy in the membership of the authority does not impair
17 the power of the authority to act under this chapter.

18 (6) The members of the authority shall be compensated in accordance
19 with RCW 43.03.240 and shall be entitled to reimbursement, solely from
20 the funds of the authority, for travel expenses as determined by the
21 authority incurred in the discharge of their duties under this chapter.

22 **Sec. 3.** RCW 29.30.020 and 1990 c 59 s 11 are each amended to read
23 as follows:

24 The positions or offices on a primary ballot shall be arranged in
25 substantially the following order: United States senator; United
26 States representative; governor; (~~lieutenant-governor~~) secretary of
27 state; state treasurer; state auditor; attorney general; commissioner
28 of public lands; superintendent of public instruction; insurance
29 commissioner; state senator; state representative; county officers;
30 justices of the supreme court; judges of the court of appeals; judges
31 of the superior court; and judges of the district court. For all other
32 jurisdictions on the primary ballot, the offices in each jurisdiction
33 shall be grouped together and be in the order of the position numbers
34 assigned to those offices, if any.

35 The order of the positions or offices on an election ballot shall
36 be substantially the same as on a primary ballot except that the
37 offices of president and vice-president of the United States shall
38 precede all other offices on a presidential election ballot. State

1 ballot issues shall be placed before all offices on an election ballot.
2 The positions on a ballot to be assigned to ballot measures regarding
3 local units of government shall be established by the secretary of
4 state by rule.

5 The political party or independent candidacy of each candidate for
6 partisan office shall be indicated next to the name of the candidate on
7 the primary and election ballot.

8 **Sec. 4.** RCW 29.80.030 and 1979 ex.s. c 57 s 4 are each amended to
9 read as follows:

10 (1) The secretary of state shall reject any statement offered for
11 filing, which, in his or her opinion, contains any obscene, profane,
12 libelous or defamatory matter, or any language or matter, the
13 circulation of which through the mails is prohibited by congress. Nor
14 shall any nominee submit a photograph showing the uniform or insignia
15 of any organization which advocates or teaches racial or religious
16 intolerance.

17 (2) Within five days after such rejection the persons submitting
18 such statement for filing may appeal to a board of review, consisting
19 of the superintendent of public instruction, attorney general, and the
20 lieutenant governor or the governor, if the office of lieutenant
21 governor has been abolished. The decision of such board shall be final
22 upon the acceptance or rejection of the matter thus in controversy.

23 **Sec. 5.** RCW 29.81.090 and 1979 ex.s. c 57 s 5 are each amended to
24 read as follows:

25 If in the opinion of the secretary of state any argument offered
26 for filing contains any obscene, vulgar, profane, scandalous, libelous,
27 defamatory, or treasonable matter, or any language tending to provoke
28 crime or a breach of the peace, or any language or matter the
29 circulation of which through the mails is prohibited by any act of
30 congress, the secretary of state shall refuse to file it: PROVIDED,
31 That the committee submitting such argument for filing may appeal to a
32 board of censors consisting of the lieutenant governor or the governor,
33 if the office of lieutenant governor has been abolished, the attorney
34 general and the superintendent of public instruction, and the decision
35 of a majority of such board shall be final.

1 **Sec. 6.** RCW 41.60.015 and 1993 c 467 s 2 are each amended to read
2 as follows:

3 (1) There is hereby created the productivity board. The board
4 shall administer the employee suggestion program and the teamwork
5 incentive program under this chapter.

6 (2) The board shall be composed of:

7 (a) The secretary of state who shall act as chairperson;

8 (b) The director of personnel appointed under the provisions of RCW
9 41.06.130 or the director's designee;

10 (c) The director of financial management or the director's
11 designee;

12 (d) The personnel director appointed under the provisions of RCW
13 28B.16.060 or the director's designee;

14 (e) The director of general administration or the director's
15 designee;

16 (f) Three persons with experience in administering incentives such
17 as those used by industry, with the governor, lieutenant governor or
18 attorney general if the office of lieutenant governor has been
19 abolished, and speaker of the house of representatives each appointing
20 one person. The governor's appointee shall be a representative of an
21 employee organization certified as an exclusive representative of at
22 least one bargaining unit of classified employees, but no one
23 organization may be represented for two consecutive terms;

24 (g) One person representing state agencies and institutions with
25 employees subject to chapter 41.06 RCW, and one person representing
26 those subject to chapter 28B.16 RCW, both to be appointed by the
27 governor; and

28 (h) In addition, the governor and board chairperson may jointly
29 appoint persons to the board on an ad hoc basis. Ad hoc members shall
30 serve in an advisory capacity and shall not have the right to vote.

31 Members under subsection (2) (f) and (g) of this section shall be
32 appointed to serve three-year terms.

33 Members of the board appointed pursuant to subsection (2)(f) of
34 this section may be compensated in accordance with RCW 43.03.240. Any
35 board member who is not a state employee may be reimbursed for travel
36 expenses under RCW 43.03.050 and 43.03.060.

37 **Sec. 7.** RCW 43.01.010 and 1965 c 8 s 43.01.010 are each amended to
38 read as follows:

1 The governor, (~~lieutenant governor,~~) secretary of state,
2 treasurer, auditor, attorney general, superintendent of public
3 instruction, commissioner of public lands, and insurance commissioner,
4 shall hold office for the term of four years, and until their
5 successors are elected and qualified; and the term shall commence on
6 the Wednesday after the second Monday of January following their
7 election.

8 **Sec. 8.** RCW 43.03.010 and 1989 c 10 s 8 are each amended to read
9 as follows:

10 The annual salaries of the following named state elected officials
11 shall be prescribed by the Washington citizens' commission on salaries
12 for elected officials: Governor; lieutenant governor unless the office
13 of lieutenant governor has been abolished: PROVIDED, That in arriving
14 at the annual salary of the lieutenant governor or attorney general if
15 the office of lieutenant governor has been abolished the commission
16 shall prescribe a fixed amount plus a sum equal to 1/260th of the
17 difference between the annual salary of the lieutenant governor or
18 attorney general if the office of lieutenant governor has been
19 abolished and the annual salary of the governor for each day that the
20 lieutenant governor or attorney general if the office of lieutenant
21 governor has been abolished is called upon to perform the duties of the
22 governor by reason of the absence from the state, removal, resignation,
23 death, or disability of the governor; secretary of state; state
24 treasurer; state auditor; attorney general; superintendent of public
25 instruction; commissioner of public lands; and state insurance
26 commissioner. Members of the legislature shall receive for their
27 service per annum the amount prescribed by the Washington citizens'
28 commission on salaries for elected officials; and in addition,
29 reimbursement for mileage for travel to and from legislative sessions
30 as provided in RCW 43.03.060.

31 **Sec. 9.** RCW 43.03.011 and 1993 sp.s. c 26 s 1 are each amended to
32 read as follows:

33 Pursuant to Article XXVIII, section 1 of the state Constitution and
34 RCW 43.03.010 and 43.03.310, the annual salaries of the state elected
35 officials of the executive branch shall be as follows:

36 (1) Effective September 3, 1992:

37 (a) Governor \$ 121,000

1	(b) Lieutenant governor	\$ 62,700
2	(c) Secretary of state	\$ 64,300
3	(d) Treasurer	\$ 79,500
4	(e) Auditor	\$ 84,100
5	(f) Attorney general	\$ 92,000
6	(g) Superintendent of public instruction	\$ 86,600
7	(h) Commissioner of public lands	\$ 86,600
8	(i) Insurance commissioner	\$ 77,200

9 (2) Effective September 1, 1993:

10	(a) Governor	\$ 121,000
11	(b) Lieutenant governor	\$ 62,700
12	(c) Secretary of state	\$ 64,300
13	(d) Treasurer	\$ 79,500
14	(e) Auditor	\$ 84,100
15	(f) Attorney general	\$ 92,000
16	(g) Superintendent of public instruction	\$ 86,600
17	(h) Commissioner of public lands	\$ 86,600
18	(i) Insurance commissioner	\$ 77,200

19 (3) The lieutenant governor or attorney general if the office of
20 lieutenant governor has been abolished shall receive the fixed amount
21 of his or her salary plus 1/260th of the difference between his or her
22 salary and that of the governor for each day that the lieutenant
23 governor or attorney general if the office of lieutenant governor has
24 been abolished is called upon to perform the duties of the governor by
25 reason of the absence from the state, removal, resignation, death, or
26 disability of the governor.

27 **Sec. 10.** RCW 43.03.020 and 1965 c 8 s 43.03.020 are each amended
28 to read as follows:

29 Whenever by reason of the absence from the state or the disability
30 of the governor, the lieutenant governor or attorney general if the
31 office of lieutenant governor has been abolished is called upon
32 temporarily to perform the duties of the office of governor, he or she
33 shall be paid upon his or her personal voucher therefor the sum of ten
34 dollars per day for expenses.

35 **Sec. 11.** RCW 43.06.040 and 1965 c 8 s 43.06.040 are each amended
36 to read as follows:

1 If the governor absents himself or herself from the state, he or
2 she shall, prior to his or her departure, notify the lieutenant
3 governor or attorney general if the office of lieutenant governor has
4 been abolished of his or her proposed absence, and during such absence
5 the lieutenant governor or attorney general if the office of lieutenant
6 governor has been abolished shall perform all the duties of the
7 governor.

8 **Sec. 12.** RCW 43.33.010 and 1965 c 8 s 43.33.010 are each amended
9 to read as follows:

10 The state treasurer, the lieutenant governor or attorney general if
11 the office of lieutenant governor has been abolished, and the governor,
12 ex officio, shall constitute the state finance committee.

13 **Sec. 13.** RCW 43.34.010 and 1979 ex.s. c 57 s 10 are each amended
14 to read as follows:

15 The governor or the governor's designee, the lieutenant governor or
16 attorney general if the office of lieutenant governor has been
17 abolished, and the commissioner of public lands, ex officio, shall
18 constitute the state capitol committee.

19 **Sec. 14.** RCW 43.43.858 and 1987 c 65 s 1 are each amended to read
20 as follows:

21 There is hereby created the organized crime advisory board of the
22 state of Washington. The board shall consist of thirteen voting and
23 two nonvoting members.

24 The lieutenant governor or the president of the senate if the
25 office of lieutenant governor has been abolished shall appoint four
26 members of the senate to the board, no more than two of whom shall be
27 from the same political party.

28 The governor shall appoint five members to the board. Two members
29 shall be county prosecuting attorneys and shall be appointed from a
30 list of four county prosecutors agreed upon and submitted to the
31 governor by the elected county prosecutors. One member shall be a
32 municipal police chief, and one member shall be a county sheriff, both
33 of whom shall be appointed from a list of three police chiefs and three
34 sheriffs agreed upon and submitted to the governor by the association
35 of sheriffs and police chiefs (RCW 36.28A.010). One member shall be a
36 retired judge of a court of record.

1 The United States attorneys for the western and eastern districts
2 of Washington shall be requested to serve on the board as nonvoting
3 members and shall not be eligible to serve as chairperson.

4 The speaker of the house shall appoint four members of the house of
5 representatives to the board, no more than two of whom shall be from
6 the same political party.

7 The members of the board shall be qualified on the basis of
8 knowledge and experience in matters relating to crime prevention and
9 security or with such other abilities as may be expected to contribute
10 to the effective performance of the board's duties. The members of the
11 board shall meet with the chief of the Washington state patrol at least
12 four times a year to perform the duties enumerated in RCW 43.43.862 and
13 to discuss any other matters related to organized crime. Additional
14 meetings of the board may be convened at the call of the chairperson or
15 by a majority of the members. The board shall elect its own
16 chairperson from among its members. Legislative members shall receive
17 reimbursement for travel expenses incurred in the performance of their
18 duties in accordance with RCW 44.04.120 (~~as now existing or hereafter~~
19 ~~amended~~), and the other members in accordance with RCW 43.03.050 and
20 43.03.060(~~(, as now existing or hereafter amended)~~).

21 **Sec. 15.** RCW 44.52.010 and 1985 c 467 s 17 are each amended to
22 read as follows:

23 (1) Economic development and in particular international trade,
24 tourism, and investment have become increasingly important to
25 Washington, affecting the state's employment, revenues, and general
26 economic well-being. Additionally, economic trends are rapidly
27 changing and the international marketplace has become increasingly
28 competitive as states and countries seek to improve and safeguard their
29 own economic well-being. The purpose of the legislative committee on
30 economic development is to provide responsive and consistent
31 involvement by the legislature in economic development to maintain a
32 healthy state economy and to provide employment opportunities to
33 Washington residents.

34 (2) There is created a legislative committee on economic
35 development which shall consist of six senators and six representatives
36 from the legislature and the lieutenant governor or attorney general if
37 the office of lieutenant governor has been abolished who shall serve as
38 chairperson. The senate members of the committee shall be appointed by

1 the president of the senate and the house members of the committee
2 shall be appointed by the speaker of the house. Not more than three
3 members from each house shall be from the same political party. A list
4 of appointees shall be submitted before the close of each regular
5 legislative session during an odd-numbered year or any successive
6 special session convened by the governor or the legislature prior to
7 the close of such regular session or successive special session(s) for
8 confirmation of senate members, by the senate, and house members, by
9 the house. Vacancies occurring shall be filled by the appointing
10 authority.

11 **Sec. 16.** RCW 70.37.030 and 1989 1st ex.s. c 9 s 261 are each
12 amended to read as follows:

13 There is hereby established a public body corporate and politic,
14 with perpetual corporate succession, to be known as the Washington
15 health care facilities authority. The authority shall constitute a
16 political subdivision of the state established as an instrumentality
17 exercising essential governmental functions. The authority is a
18 "public body" within the meaning of RCW 39.53.010(~~(, as now or~~
19 ~~hereafter amended)~~). The authority shall consist of the governor who
20 shall serve as chairman, the lieutenant governor or attorney general if
21 the office of lieutenant governor has been abolished, the insurance
22 commissioner, the secretary of health, and one member of the public who
23 shall be appointed by the governor, subject to confirmation by the
24 senate, on the basis of the member's interest or expertise in health
25 care delivery, for a term expiring on the fourth anniversary of the
26 date of appointment. In the event that any of the offices referred to
27 shall be abolished the resulting vacancy on the authority shall be
28 filled by the officer who shall succeed substantially to the powers and
29 duties thereof. The members of the authority shall be compensated in
30 accordance with RCW 43.03.240 and shall be entitled to reimbursement,
31 solely from the funds of the authority, for travel expenses incurred in
32 the discharge of their duties under this chapter, subject to the
33 provisions of RCW 43.03.050 and 43.03.060. A majority shall constitute
34 a quorum.

35 The governor may designate an employee of the governor's office to
36 act on behalf of the governor during the absence of the governor at one
37 or more of the meetings of the authority. The vote of the designee
38 shall have the same effect as if cast by the governor if the

1 designation is in writing and is presented to the person presiding at
2 the meetings included within the designation.

3 The governor may designate a member to preside during the
4 governor's absence.

5 NEW SECTION. **Sec. 17.** This act shall be submitted to the people
6 for their adoption and ratification, or rejection, at the next
7 succeeding general election to be held in this state, in accordance
8 with Article II, section 1 of the state Constitution, as amended, and
9 the laws adopted to facilitate the operation thereof.

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